



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 209

Hearing Date: January 17, 2001

Committee On: Health and Human Services

Introducers: (Health and Human Services Committee, Thompson, Tyson, Cunningham)

Title: Change provisions relating to health and human services

Roll Call Vote – Final Committee Action:

X Advanced to General File

Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7 Yes Senator Jensen, Byars, Suttle, Price, Cunningham, Maxwell,
Erdman

No

Present, not voting

Absent

Proponents:

Senator Jim Jensen

Debra Vokal

Terry Zoucha

Debra Storz

Dr. Stephen Boney

Natalie Harms

Tom Bassett

Caroline Taggart

Korby Gilberston

Representing:

Introducer

Nebraska Academy of Physician Assistants

ProCare 3

Nebraska Speech Language & Hearing
Association

Nebraska Speech Language Hearing Association,
Board of Examiners for Audiology and Speech
Language Pathology

Nebraska Physical Therapy Association

Nebraska Dental Association

American Student Dental Association and

Nebraska Student Dental Association

Girls and Boys Town

Opponents:

Representing:

Neutral:

Representing:



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Summary of purpose and/or changes: The bill makes various technical and other changes to several statutes relating to the subject matter jurisdiction of the Health and Human Services Committee, and outright repeals various sections.

The bill changes provisions relating to physician assistants. Current law, in section 71-1,107.16, requires graduation from a program approved by the Commission on Accreditation of Allied Health Education Programs (commission) or its successor agency for licensure as a physician assistant. LB 209 also recognizes graduation from a predecessor agency to the commission for purposes of licensure. The bill also provides for biennial certification for physician assistants.

The bill amends section 71-634 relating to corrected birth and death certificates. Current law requires the Department of Health and Human Services Finance and Support to collect a fee of \$7.00 for such corrections. LB 209 allows the department to waive such fee if the correction was needed because of an error committed by the Bureau of Vital Statistics in the issuance of the certificate.

The bill requires families who provide foster care to Native American children off-reservation to receive annual training to enhance their understanding of Native American culture, values, and unique status, and requires that such training, if possible, be specific to the foster child's tribal affiliation. The Department of Health and Human Services is required to develop materials for the required training and to either conduct the training or provide for the training to be conducted.

The bill changes provisions relating to the practice of audiology and speech-language pathology. Currently, section 71-1,190 requires every applicant for licensure as an audiologist or speech-language pathologist to present proof of at least nine months of full time or eighteen months of at least half time supervised professional experience. LB 209 amends section 71-1,187(6) to provide that such supervised clinical experience does not violate the Uniform Licensing Law.

The bill changes provisions of the Nebraska Cosmetology Act relating to nail technologists. The bill defines "manicuring," and distinguishes manicuring from the practice of nail technology. The bill provides that a licensed cosmetology establishment need not be licensed as a nail technology salon to provide nail technology services by either a licensed cosmetologist or by a licensed nail technologist. The bill includes the practice or teaching of manicuring as a permitted activity under the Nebraska Cosmetology Act. LB 209 also deletes a requirement pertaining to nail technology schools. Current law requires the presence of at least one nail technology instructor in the school for each twenty students or fraction thereof when the school is in operation, and requires advanced students to be taught in separate classes. The bill retains language requiring the presence of a nail technology instructor, but deletes language relating to required student-teacher ratios and separate classes for advanced students.

The bill changes continuing education provisions for optometrists. Current law allows professional boards to establish continuing education requirements for professionals credentialed under the Uniform Licensing Law. Current law allows the Department of Health and Human Services Regulation and Licensure to waive continuing education requirements for any two-year credentialing period upon documentation that a person has been newly credentialed within the



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two-year period preceding renewal . The same exception is made for optometrists in section 71-1,136.01. LB 209 extends the newly credentialed exception to twenty-six months immediately preceding the renewal date for optometrists provided in section 71-110.

The bill changes provisions relating to dentistry examinations. Current law, in section 71-133, permits the use of the Central Regional Dental Testing Service (CRDTS) practical examination for the final practical examination in clinical dentistry. LB 209 also allows for the use of "any other regional or state practical examination that the Board of Dentistry [the board] determines to be comparable to the Central Regional Testing Service," and deletes a reference requiring passage of the CRDTS practical examination by a person who has previously failed to pass the oral practical examination administered by the board.

The bill changes provisions relating to dental hygienists. The bill requires graduation from a training school accredited by the Commission of Dental Accreditation of the American Dental Association prior to licensure as a dental hygienist. The bill also clarifies that "a dental hygienist student who practices dental hygiene upon patients in a clinic in the regular course of instruction in an accredited dental hygiene education program is not engaged in the unauthorized practice of dental hygiene."

The bill amends the Uniform Licensing Law relating to the practice of physical therapy. The bill provides that, as of November 1, 2003 and on or before November 1 of every odd-numbered year thereafter, actively licensed physical therapists must complete twenty hours of continuing education, and actively licensed physical therapist assistants must complete ten hours of continuing education, for renewal of their respective license or certification. The required continuing education must consist of "approved scientific schools, clinic, forums, lectures, or physical therapy educational seminars as announced and approved by the Board of Physical Therapy." The bill also amends section 71-2819 to require a biennial rather than an annual renewal for physical therapist assistants and raises the renewal fee for such certification from a range of \$10 - \$200 to a range of \$20 - \$500.

The bill outright repeals the Community Health Care Act, the Parkinson's Disease Registry Act, and statutes relating to the Human Genetic Technologies Commission.

Explanation of amendments, if any:

Senator Jim Jensen, Chairperson